

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-24 are pending in the present application. Claims 1, 10, 19, 23, and 24 are the independent claims.

Claims 25-28 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 12-18 have been amended. No new matter has been added.

The Office Action objected to claims 12-18 on formal grounds. In response, Applicant has amended these claims in the manner kindly suggested by the Examiner.

Favorable consideration is respectfully requested.

Claims 1-4, 6, 7, 15, 16, and 18-24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0043784 (Shirata et al.). Claims 5, 8, 14, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shirata et al. in view of Official Notice. All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, accessing one of one or more video patterns stored in a memory of the DVD player, displaying the accessed video pattern on a display, and adjusting the display while checking the displayed video pattern which provides the user with information regarding the adjustment.

Independent claim 10 recites, inter alia, a memory which stores at least one video pattern and that a selected video pattern is displayed on a display... and provides the user with information with which the user can adjust the display while checking the displayed video pattern

Independent claim 19 recites, inter alia, selecting one of one or more video test patterns stored in a memory of the DVD player, displaying the selected video test pattern on the display; and adjusting the display property of the display while observing an effect of the adjustment on the display of the selected video test pattern.

Independent claim 23 recites, inter alia, storing one or more video test patterns in a memory of a DVD player, providing an inputter which allows a user to input a video test pattern selection, and that an adjustment to a display property of the adjustable display is observable by an effect thereof on a presentation of the selected video test pattern by the adjustable display

Independent claim 24 recites, inter alia, a memory storing one or more video test patterns and that an adjustment to a display property of the adjustable display is observable by an effect thereof on a display of the selected video test pattern by the adjustable display.

Applicant respectfully submits that Shirata et al. does not teach at least the aforementioned features, for at least the following reasons. Also, it is respectfully submitted that Official Notice, in addition to being traversed, does not remedy these deficiencies.

Shirata et al. relates to picture quality adjustment and teaches an arrangement including a system controller 24, a first memory 27 storing disk IDs, and a second memory 28 storing metadata and corresponding picture quality adjustment data.

Firstly, the Office's contention that memories 27 and 28 store patterns that are displayed is incorrect because Shirata et al. does not teach that any information from the first or second memories 27, 28 is displayed. Indeed, the cited portions of Shirata et al. teach that either the detection of metadata is displayed (step 34 of FIG. 3) or an inquiry to a user about storing an adjustment condition (step 53 of FIG. 4) is displayed.

Secondly, Shirata et al. expressly teaches that picture quality adjustment based on information from a memory is effected by the system controller 24, not by a user observing a displayed pattern that was stored in memory 27 or memory 28. This is not surprising since no test patterns are stored in these memories of Shirata et al.

For these reasons, independent claims 1, 10, 19, 23, and 24 patentably define over Shirata et al.

Regarding independent claims 19, 23, and 24, Shirata et al. does not teach displaying using a video test pattern, as variously recited by these claims. Rather, Shirata et al. teaches displaying either an indication of metadata detection (step 34 of FIG. 3) or an inquiry to a user to store an adjustment condition (step 53 of FIG. 4). Thus, for this additional reason, these claims patentably define over Shirata et al.

Regarding independent claim 23, Shirata et al. does not teach storing one or more video test patterns, as explained above. Further, the Office Action's contention that operation section 25 is an inputter is incorrect because Shirata et al. does not teach that the operation section allows a user to input a video test pattern selection. Thus, for this additional reason, this claim patentably defines over Shirata et al.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 10, 19, 23, and 24 are respectfully requested.

Regarding the rejection under 35 U.S.C. § 103, it is respectfully submitted that the Office Notice relied upon by the Office does not remedy the aforementioned deficiencies.

Lastly, Applicant challenges the Office's reliance on Official Notice. As explained above,

Shirata et al. does not teach displaying a video pattern or video test pattern. Instead, Shirata et al. effects automated picture adjustment via system controller 24. Thus, the premise for the Office's reliance is erroneous. Thus, documentary evidence of the claim features of claims 5, 8, 14, and 17 is needed.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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